

#5

PATENT
Customer No. 22,852
Attorney Docket No. 7541.0002-00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hiroshi TAKEMOTO et al.) Group Art Unit: Not Yet Assigned
)
Application No.: 10/048,008) Examiner: Not Yet Assigned
)
Filed: January 25, 2002)
)
For: PHARMACEUTICAL)
COMPOSITIONS EXHIBITING)
THROMBOPOIETIN RECEPTOR)
AGONISM)

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of a search report from the Japanese Patent Office in a corresponding application citing these documents and setting forth the relevance

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP
1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

thereof is enclosed. Documents DK 8901087, IL 89481, and ZA 9004413, which are believed to be related to enclosed document EP 389699, were not available and are not included on the accompanying Form PTO-1449, but are noted here for the Office's reference. Document AU 9722313, which is believed to be related to enclosed document WO 97/32863, was not available and is not included on the accompanying Form PTO-1449, but is noted here for the Office's reference. Documents CN 1197458, BR 9609744, and MX 9800804, which are believed to be related to enclosed document EP 848004, were not available and are not identified on the accompanying Form PTO-1449, but are noted here for the Office's reference. Documents NO 9903706, and BR 9807132, which are believed to be related to enclosed document WO 98/33797, were not available and are not identified on the accompanying Form PTO-1449, but are noted here for the Office's reference. Documents NO 9705994, CN 119315, NZ 310559, and BR 9608498, which are believed to be related to enclosed document EP 837052, were not available and are not identified on the accompanying Form PTO-1449, but are noted here for the Office's reference.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 9, 2002

By: 

Mark J. Feldstein
Reg. No. 46,693

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com